

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

DEANTHONY PERRY, )  
                        )  
                        )  
Plaintiff,            )  
                        )  
v.                     )       No.:    3:20-CV-234  
                        )  
                        )  
TENNESSEE DEPARTMENT OF      )       Judge Collier  
CORRECTION, MICHAEL PARRISH,    )  
STACY OAKS, and MORGAN COUNTY    )  
CORRECTIONAL COMPLEX,            )  
                        )  
Defendants.            )

**MEMORANDUM OPINION**

Plaintiff Deanthony Perry has filed a motion to voluntarily dismiss this pro se prisoner's civil rights action for violation of 42 U.S.C. § 1983 [Doc. 5], asserting that the initiating paperwork was forged by another inmate [*Id.*].

Plaintiff's motion was filed before the Court screened his complaint in accordance with the Prison Litigation Reform Act. Accordingly, no Defendant has appeared or answered in this cause. Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that a movant is permitted to voluntarily dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment[.]". Unless otherwise stated, such a dismissal is without prejudice. Fed. R. Civ. P. 41 (a)(1)(B). Because a properly filed notice of voluntary dismissal is self-effectuating, *see Aamot v. Kassel*, 1 F.3d 441, 445 (6th Cir. 1993), Plaintiff's motion [Doc. 5] will be **GRANTED**, and this action will be **DISMISSED WITHOUT PREJUDICE**. Plaintiff's motion to proceed *in forma pauperis* [Doc. 1] will be **DISMISSED AS MOOT**.

**An appropriate order will enter.**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**